

### REMARKS

Claims 1-9 are pending. Applicants have cancelled claim 8 without prejudice to pursuing this subject matter in one or more continuing applications. Claims 1-7 and 9 will therefore be pending in the application upon entry of the proposed amendment.

Applicants acknowledge that the Examiner has allowed claims 1-7 and 9.

Claim 8 is rejected under 35 U.S.C. § 103(a) for allegedly “being unpatentable over Willis, et. al., WO2001025242 in view *Graver Tank & Mfg. Co. v. The Linde Air Products Co.*, (USSC 1950) 339 US 695, 85 USPQ 328” (Office Action, page 3).

Applicants respectfully disagree with the grounds for the rejection; however, to expedite prosecution of the present application, Applicants have cancelled claim 8, thus rendering the rejection moot.

In view of the foregoing, Applicants submit that the application is in condition for allowance.

Applicant : Michael Butters et al.  
Serial No. : 10/581,143  
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Attorney's Docket No.: 06275-514US1 / 101315-1P US

The fee in the amount of \$490 for the two month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of a Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 06275-514US1/101315-1P US.

Respectfully submitted,

Date: September 29, 2009

/John T. Kendall/

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